

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	
PLAINTIFF,	:	
	:	CASE NO. 1:01cv714
V.	:	(consolidated with 1:01cv715
	:	and 1:01cv716)
	:	
REAL PROPERTY KNOWN AND	:	
NUMBERED AS CONDOMINIUM #802,	:	SENIOR JUDGE WEBER
BUILDING B, 9393 MIDNIGHT PASS ROAD,	:	
SARASOTA, SARASOTA COUNTY,	:	
FLORIDA, WITH ALL APPURTENANCES,	:	
IMPROVEMENTS, AND ATTACHMENTS	:	
THEREON,	:	
DEFENDANT.	:	

SETTLEMENT AGREEMENT

IT IS HEREBY STIPULATED as follows by and between the United States of America (the "United States") and Roger Market and Vicki Market (the "Claimants") (together "the parties") in order to compromise and settle the Claimants' interest in real property known and numbered as Condominium #802, Building B, 9393 Midnight Pass Road, Sarasota, Sarasota County, Florida (the "subject property"), which property is further described in Attachment A hereto.

This Settlement Agreement is entered into between the parties pursuant to the following terms:

1. The parties agree that the Claimants have an undivided one-half interest in the subject property by virtue of a Warranty Deed recorded in the official records of Sarasota County, Florida on May 7, 2001.

2. The parties agree that any violations of 18 U.S.C. § 981(a)(1)(A) involving the

subject property occurred without the knowledge and consent of the Claimants.

3. The parties agree that the United States shall forfeit the subject property in its entirety for the purpose of conveying clear title to the subject property to the Claimants. The United States agrees to pay any costs associated with recording its decree of forfeiture in Sarasota County, Florida and for releasing its Lis Pendens against the subject property.

4. The parties agree that the United States shall, in exchange for the Claimants payment to the United States of one hundred forty thousand dollars (\$140,000) in the form of a certified check made payable to the Department of the Treasury, convey title to the Claimants by quitclaim deed to the subject property.

5. The Claimants agree to pay any costs associated with recording the deed which conveys the subject property from the United States to the Claimants.

6. The Claimants agree to release and hold harmless the United States of America, the United States Attorney for the Southern District of Ohio, the Internal Revenue Service, and any agents, servants, and employees of the United States (or any state or local law enforcement agency) acting in their individual or official capacities, from any and all claims by the Claimants and their agents which currently exist or which they may have as a result of this lawsuit.

7. The Claimants agree that by entering into this Settlement Agreement, they waive any rights to litigate further their interest in the subject property and to petition for remission or mitigation of the forfeiture. The Claimants understand that unless specifically directed by an order of the Court, the Claimants shall be excused and relieved from further participation in this action.

8. Each party agrees to bear its own costs and attorney's fees.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

3/31/04
Date

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5/4/04
Date

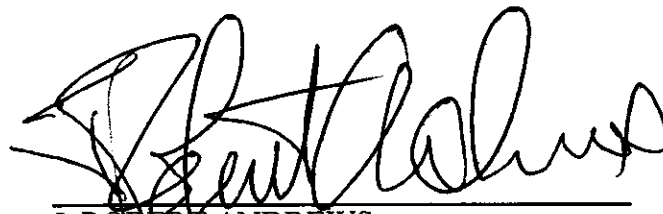
Roger Market
ROGER MARKET
Claimant

5-4-04
Date

Vicki Market
VICKI MARKET
Claimant

5-5-04

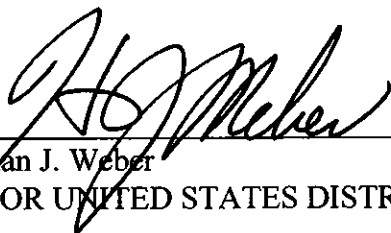
Date



J. ROBERT ANDREWS

Attorney for Roger and Vicki Market
Schuh & Goldberg, LLP
2662 Madison Road
Cincinnati, Ohio 45208
(513) 321-2662
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It is so ordered:



Herman J. Weber

SENIOR UNITED STATES DISTRICT JUDGE

ATTACHMENT A

Real property known and numbered as Condominium #802, Building B, 9393 Midnight Pass Road, Sarasota, Sarasota County, Florida with all improvements, appurtenances, and attachments thereon. The legal description of the real property is:

Unit No. 802, Building B, THE POINTE ON MIDNIGHT PASS, a Condominium, according to the Declaration of Condominium, recorded in Official Records Book 1090, Pages 745 to 801, inclusive, and subsequent amendments thereto, and as per Plat thereof recorded in Condominium Book 8, Pages 45, 45A and 45B, of the Public Records of Sarasota County, Florida.